

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

IN RE: COLUMBIA UNIVERSITY  
PATENT LITIGATION

04-MDL-1592

This document relates to all actions

**DECLARATION OF STEVEN A. ZALESIN**

STEVEN A. ZALESIN, under penalty of perjury, declares as follows:

1. I am a member of Patterson, Belknap, Webb & Tyler LLP and am lead counsel for Johnson & Johnson in this action. I submit this declaration, based upon my personal knowledge, in opposition to Columbia University's Emergency Motion To Dismiss for Lack of Subject Matter Jurisdiction.
2. Attached hereto as Exhibit A is a true and correct copy of a letter from David I. Gindler, Esq. to me dated September 17, 2004.
3. Attached hereto as Exhibit B is a true and correct copy of an excerpt from the transcript of the parties' September 9, 2004 teleconference with the Court concerning Columbia University's Emergency Motion To Dismiss.
4. Attached hereto as Exhibit C is a true and correct copy of a letter from me to David I. Gindler, Esq. dated September 21, 2004.
5. Attached hereto as Exhibit D is a true and correct copy of the Complaint filed by Columbia University against Johnson & Johnson in the United States District Court for the Northern District of California.

6. Attached hereto as Exhibit E is a true and correct copy of the Complaint filed by Johnson and Johnson against Columbia University in the United States District Court for the Southern District of New York.

7. I declare under penalty of perjury of the laws of the United States of America that the foregoing is true and correct to the best of my knowledge, information and belief.

Executed at New York, New York this 22nd day of September, 2004.

/s/ Steven A. Zalesin

Steven A. Zalesin